IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 19130 of 1999

Between:

Battula Dronaiah, S/o. Gopaiah,

62 years, R/o. H.No.6-1-158, V.D.Os' Colony,

Khammam, Khammam District.

..... PETITIONER

AND

1. District Consumers Forum, Khammam, rep. by its Registrar, District Courts Complex, Khammam, Khammam District.
2. S. Narsimha Murthy, S/o. Ramakrishnaiah,

   Legal Practitioner, Khammam, Khammam District
3. S. Soorya Prakash Rao, S/o. Narayana, Advocate

   Khammam, Khammam District.
4. Mammunuru Muralidhar Rao, S/o. Narayana Rao,

   Advocate, Khammam, Khammam District.
5. B.V.Appa Rao, S/o. Madhusudhana Rao,

   Advocate, Khammam, Khammam District.
6. Dr. P. Gorki, S/o. Ramaiah,

   Medical Practitioner, Khammam, Khammam District.
7. K. Hanumantha Rao, S/o. K.V.Laxminarsasimha Rao,

   Advocate, Khammam, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more in the nature of certiorari calling for the records relating to and in connection with E.P.No.34/97 in C.D.1174/90 along with E.A.1/97 on the file of District Consumers Forum, Khammam and to quash the entire proceedings including the order dated 28.04.1999 passed by the 1st respondent directing the arrest of the petitioner in E.A.1/97 in E.P.34/97 in C.D.1174/90.

Counsel for the Petitioner:MR.M.SUDHIR KUMAR

Counsel for the Respondent No.1: GP FOR CIVIL SUPPLIES

Counsel for the Respondent Nos.2to7:Mr. J. Ashvini Kumar

The Court made the following ORDER:

Heard both sides.

It is represented by the learned counsel for the either side that the impugned orders are passed under Section 27-A of the Consumer Protection Act, against which, a regular appeal is provided to the State Forum from the orders of the District Forum. Having regard to the same, the very petition filed under Article 226 of the Constitution of India is not maintainable.

In view of the availability of alternative remedy of appeal, the petitioner is at liberty to file an appeal within a period of four weeks from today.

The writ petition is accordingly dismissed. No costs.

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B.Prakash Rao, J

Date: 25.10.2004

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To

1. The Registrar, District Consumers Forum, Khammam, District Courts Complex, Khammam, Khammam District.

2. Two CCs to G.P. for Civil Supplies, High Court of A.P. Buildings, Hyderabad (OUT)

3. Two CD Copies